

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

NICOLE DiCUCCIO,

Plaintiff,

v.

Case No. 1:21-cv-469
JUDGE DOUGLAS R. COLE

SUPREME COURT OF OHIO,

Defendant.

**ORDER GRANTING DEFENDANT'S MOTION TO ENFORCE
SETTLEMENT AGREEMENT (DOC. 11)**

This matter is before the Court on Defendant's Motion to Enforce Settlement Agreement. (Doc. 11). Because Plaintiff has not contested Defendant's Motion as to the settlement terms only (Doc. 15), the Court **GRANTS** the Motion as to the following terms stated in the Motion:

- Cash payment by Defendant to Plaintiff in the amount of \$68,000. Sixty-five percent (65%) of that amount for personal-injury damages and thirty-five (35%) of that amount for wages.
- Plaintiff's termination of employment shall be changed to resignation.
- Defendant will segregate Plaintiff's employment file such that there will be the standard employment file, but all disciplinary materials will be removed to a separate file and maintained in a segregated fashion.
- Bilateral waiver and release by both parties of all claims up to and through the date of settlement, October 22, 2021.

- Notification by Defendant to the Ohio Department of Administrative Services that Plaintiff is eligible for rehire with the state, excluding the Supreme Court of Ohio.

Additionally, the following terms are ordered to enable the parties to facilitate the material terms above:

- Within thirty (30) calendar days of the date of this Order, Defendant shall pay Plaintiff the \$68,000 as designated above.
- Within three (3) business days after receipt of the \$68,000 payment, Plaintiff shall withdraw with prejudice all actions filed by her against Defendant. If Plaintiff fails to do this, Plaintiff shall not oppose Defendant's filing of a motion to dismiss based upon mootness as the parties have reached a full and final resolution to all claims pending in the lawsuit.
- Within five (5) business days of the date of this Order, Defendant shall segregate Plaintiff's employment file. Defendant shall then provide Plaintiff with hard and electronic copies of her personnel file and the separated file. Copies shall be mailed via US overnight mail, signature required, to 2148 Coach Road North, Columbus, Ohio 43220 and via electronic mail to ndicuccio@yahoo.com.
- Within five (5) business days of the date of this Order, Defendant shall change Plaintiff's employment termination to a resignation.

- Within 5 business days of the date of this Order, Defendant shall notify the Ohio Department of Administrative Services that Plaintiff is eligible for reemployment with the State of Ohio, excluding the Supreme Court of Ohio.

SO ORDERED.

February 16, 2023

DATE



DOUGLAS R. COLE
UNITED STATES DISTRICT JUDGE